

IFW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent application

of _____

Inventor(s)

for _____

Title of Invention

OR**In re application of:** Colin Temple et al.**Application No.: 0 10 / 776,887****Group Art Unit: 1712****Filed: 02/11/2004****Examiner: unknown****For: Drilling Fluids With Improved Shale Inhibition and Methods of Drilling In
Subterranean Formations****Mail Stop Amendment****Commissioner for Patents****P.O. Box 1450****Alexandria, VA 22313-1450**

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING OR
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. § 1.97(b))**

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*
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37 C.F.R. § 1.8(a)

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Sheila Gibbs

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Date: 7-8-05

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.8(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Transmittal of Information Disclosure Statement Within Three Months of Filing or Before Mailing of First Office Action [B-3]—page 1 of 3)

NOTE: 37 C.F.R. 1.87(b)

- (1) Each U.S. patent listed in an information disclosure statement must be identified by inventor, patent number, and issue date.
- (2) Each U.S. patent application publication listed in an information disclosure statement shall be identified by applicant, patent application publication number, and publication date.
- (3) Each U.S. application listed in an information disclosure statement must be identified by the inventor, application number, and filing date.
- (4) Each foreign patent or published foreign patent application listed in an information disclosure statement must be identified by the country or patent office which issued the patent or published the application, an application document number, and the publication date indicated on the patent or published application.
- (5) Each publication listed in an information disclosure statement must be identified by publisher, author (if any), title, relevant pages of the publication, date, and place of publication.

WARNING: No extension of time can be had under 37 C.F.R. § 1.133 (d) or (e) for filing an IDS. 37 C.F.R. § 1.87(b).

NOTE: The "filing date of a national application" under 37 C.F.R. § 1.87(b) has two possible meanings. When the filing is a direct one to the United States Patent & Trademark Office, the filing is defined in 37 C.F.R. § 1.83(e) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and a broad claim pursuant to § 1.75; and (2) any drawing required by § 1.81(d), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. § 1.87(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 33 U.S.C. § 371(e) within the period set forth in § 1.404 or § 1.405. 33 U.S.C. § 371(e) requires the filing of the following: (1) the basic national file; (2) a copy of the International application, unless already sent by the International Bureau, and optionally an English translation if filed in another language; and, the optionally (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annex to the International preliminary examination report, if such annex was made in another language. The optional items must be submitted later, with accordance 37 C.F.R. § 1.87(b)(2).

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The Information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an International application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. § 1.87(b).

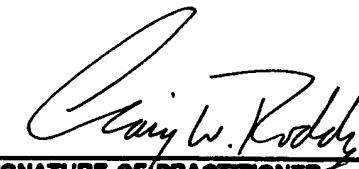
NOTE: "No certification or fee is due when the filing is made within the above time period. It is sufficient to certify that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."

NOTE: "An Information disclosure statement will be considered to have been filed on the day it was received by the Office, or on an earlier date of a mailing if accompanied by a properly circumscribed certificate of mailing under 37 C.F.R. 1.6, or Express Mail certificate under 37 C.F.R. 1.10. An Office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1130 O.G. 37-41, 38). See also § 603, M.P.E.P., 6th Edition.

NOTE: "The term 'national application' includes continuing applications (continuations, divisions, continuation-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1130 O.G. 37-41, 38).

NOTE: "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. § 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63). But see § 103(b) and (c), limited suspension of action in a continued prosecution application (CPA) filed under § 1.53(c) and in a request for continued examination (RCE) under § 1.114.



SIGNATURE OF PRACTITIONER

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USPTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

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of 2

Complete if Known

Application Number	10/776,887
Filing Date	02/11/2004
First Named Inventor	Colin Temple
Art Unit	1712
Examiner Name	unknown

Attorney Docket Number 2003-IP-009967U1P1

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (<i>if known</i>)			
1	US- 3,025,234		03/13/62	Canterino et al.	
2	US- 4,045,357		08/30/77	Reed	
3	US- 4,490,261		12/25/84	Heilweil	
4	US- 4,498,994		02/12/85	Heilweil	
5	US- 4,514,310		04/30/85	Heilweil	
6	US- 4,644,020		02/17/87	Stahl	
7	US- 5,035,812		07/30/91	Aignesberger et al.	
8	US- 5,654,261		08/05/97	Smith	
	US-				

FOREIGN PATENT DOCUMENTS

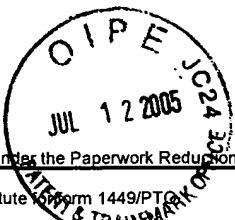
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (<i>if known</i>)				
1	WO 2004/090067 A2		10/21/2004	Youngson et al.		

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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of

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Application Number	10/776,887
Filing Date	02/11/2004
First Named Inventor	Colin Temple
Art Unit	1712
Examiner Name	unknown
Attorney Docket Number	2003-IP-009967U1P1

NON-PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:
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